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In re Application of
Park et al.
Application No.: 10/582,196
PCT No.: PCT/KR2004/003030
Int. Filing Date: 23 November 2004
Earliest Priority Date: 15 December 2003
Attorney Docket No.: 93874.00201
For: E. Coli Mutant Containing Mutant Genes Related With:
Tryptophan Biosynthesis And Production Method...

DECISION

This is in response to the petition under 37 CFR 1.182 filed on 09 July 2008.

DISCUSSION

In a Decision mailed on 06 June 2008, it was explained that

review of the application file reveals ambiguity as to which international application was intended to enter the national stage. The Transmittal Letter filed on 09 June 2006 is directed to international application no. "PCT/KR2004/00303," but the claims, specification and drawings refer to "PCT/KR2004/003030," and the international filing date and priority date listed on the Transmittal Letter match those shown for PCT/KR2004/ 003030. In view of this discrepancy, it is not adequately clear which international application was intended to enter the national stage in the United States. A proper petition under 37 CFR 1.182 (and associated petition fee) is required in order to resolve this ambiguity.

In response, petitioner has filed the instant petition under 37 CFR 1.182. Applicants "ask the U.S. Patent and Trademark Office to correct its records to confirm that Applicants intended to request entry into the national stage of international application No. 'PCT/KR2004/003030.'" Applicants "confirm that it was their intention to request entry into the national stage of international application No. PCT/KR2004/003030," and that the "error occurred without any deceptive intention on Applicants' part." In view of the totality of the evidence of record, it would be appropriate to accept petitioner's statements, and to grant the requested relief.

Petitioner has paid \$130.00 toward the required \$400.00 petition fee. The \$270.00 balance is being charged to Deposit Account No. 02-4800, per the authorization accompanying the petition.

DECISION

The petition under 37 CFR 1.182 is GRANTED.

This application is being returned to the Office of Patent Application Processing for further processing as the U.S. national stage under 35 U.S.C. 371(c) of international

application PCT/KR2004/003030. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is 11 June 2008.

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